



ATTORNEY DOCKET NO. 43890-449
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hidenori KAMEI, et al.

Serial No.: 09/680,943

Filed: October 10, 2000

For: P-TYPE NITRIDE SEMICONDUCTOR AND)
METHOD OF MANUFACTURING THE SAME)

) Group Art Unit: 2823

) Examiner: G. R. FOURSON III

#12
Election
FJONES
1-22-03

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JAN - 6 2003
1C 2800 HALL ROOM

ELECTION UNDER 35 U.S.C. § 121

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the restriction requirement set forth in the Office Action mailed December 3, 2002, having a shortened statutory period for response set to expire January 3, 2003, wherein the Examiner required restriction between the following Species:

First Species: wherein the cooling step is performed without hydrogen and without a decrease in hole concentration; and

Second Species: wherein the cooling step is performed in hydrogen such that resistivity increases.

Applicants elect without traverse, the First Species with claims 1-3 and 6-10 readable thereon for prosecution on the merits.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT, WILL & EMERY

Date: 1/3/03

By: 

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